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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Busse et al.

Appl. No.: 09/675,650

Filed: September 29, 2000

For:

PCA3 Messenger RNA Species in

Benign and Malignant Prostate

Tissue

Confirmation No. 1706

Art Unit: 1642

Examiner: Yu, Misook

Atty. Docket: 1619.0080001/JAG/CMB

Second Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(d)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on August 17, 2001, in connection with the above-captioned application. A copy of each document is provided.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications which are directed to related technical subject matter.

U.S. Patent Application No. 09/996,953, Bussemakers, et al., filed November 30, 2001; (Document AR12)

U.S. Patent Application No. 60/445,436, filed February 7, 2003

(Document AS12);

11/13/2003 SSESHE1 00000053 09675650

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U.S. Patent Application No. 09/402,713, Bussemakers, M.J., filed October 8, 1999 (Document AT12).

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ 150.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jorge A. Goldstein Attorney for Applicants Registration No. 29,021

Date: 11/12/03

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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FORM PTO-1449

ATTY. DOCKET NO. 1619.0080001/JAG/CMB APPLICATION NO. 09/675,650

APPLICANT Busse et al.

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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EXAMINER:

next communication to Applicant.

ATTY. DOCKET NO. 1619.0080001/JAG/CMB

September 29, 2000

APPLICATION NO. 09/675,650

APPLICANT

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Busse et al. FILING DATE

GROUP 1642

U.S. PATENT DOCUMENTS EXAMINER DOCUMENT NUMBER DATE CLASS SUB-CLASS FILING DATE INITIAL NAME AΑ AΒ AC AD ΑE AF . AG AΗ ΑI АJ AK FOREIGN PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT NUMBER DATE COUNTRY CLASS SUB-CLASS TRANSLATION Yes WO 96/14875 V AL2 05/23/1996 WIPO No Yes ΑM No Yes AN No Yes ΑO No Yes ΑP No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) AR AS AT EXAMINER DATE CONSIDERED

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$\frac{\mathtt{SECOND} \ \ \mathtt{SUPPLEMENTAL} \ \ \mathtt{INFORMATION} \ \ \mathtt{DISCLOSURE}}{\underline{\mathtt{STATEMENT}}}$

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APPLICANT	
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FORM PTO-1449 SECOND SUPPLEMENTAL INFORMATION DISCLOSURE GROUP STATEMENT FILING DATE September 30, 2000 1642 U.S. PATENT DOCUMENTS EXAMINER DOCUMENT NUMBER DATE NAME CLASS SUB-CLASS FILING DATE INITIAL AΑ AΒ AC AD . ΑE AF AG ΑН ΑI АJ AK FOREIGN PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT NUMBER DATE COUNTRY CLASS SUB-CLASS TRANSLATION Yes AL Νo Yes AM No Yes AN No Yes ΑO No Yes ΑP No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Bussemakers, M.J.G., et al., "DD3: A New Prostate Specific Marker, Overexpressed in Prostatic Tumors, " Breast and Prostate Cancer: Basic Mechanisms, Abstract No. 102, pp. 17 (January-February 1996) AR 11 Bussemakers, M.J.G., et al., "DD3: A New Prostate Specific Marker, Overexpressed in Prostatic Tumors," Meeting for the Dutch Association for Tumor AS 11 Cell Biology (May 1996) AT

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ATTY. DOCKET NO. 1619.0080001/JAG/CMB

APPLICATION NO. 09/675,650

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

APPLICANT Busse et al.

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	ANZ	WO 01/25272 A2	04/12/2001	WIPO			Yes No
	A02	WO 01/25273 A2	04/12/2001	WIPO			Yes
	AP2	WO 01/34802 A2	05/17/2001	WIPO			No
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	A03	WO 0	2/24718 A1	03/28/2002	WIFO	<u> </u>		No
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	AR 12 Copy of Co-Pending U.S. Patent Application No. 09/996,953, Bussemakers, et al., filed November 30, 2001 (NOT PUBLISHED)							kers, et al.,
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